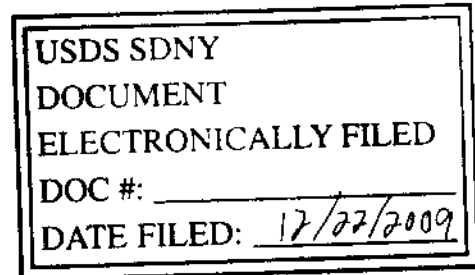


Rec 12/22/09

Robert Penchina
Katharine Larsen
LEVINE SULLIVAN KOCH & SCHULZ, L.L.P.
321 West 44th Street, Suite 510
New York, NY 10036
(212) 850-6100



IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

| | | |
|-----------------------------------|---|--------------------------|
| ----- | X | |
| ADVANCE MAGAZINE PUBLISHERS INC., | : | |
| d/b/a CONDÉ NAST PUBLICATIONS, | : | Case No. 09 CV 10257 JGK |
| | : | |
| Plaintiff, | : | |
| v. | : | ECF Case |
| JOHN DOES 1 - 5, | : | |
| Defendants. | : | |
| ----- | X | |

**[PROPOSED] ORDER GRANTING PLAINTIFF'S
EX PARTE APPLICATION FOR ORDER AUTHORIZING IMMEDIATE DISCOVERY**

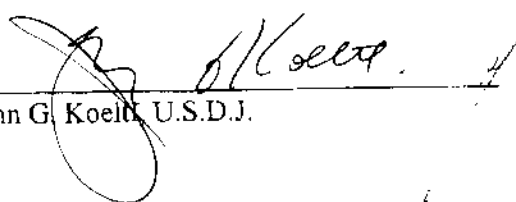
After consideration of the Ex Parte Application for Order Authorizing Immediate Discovery and the accompanying Memorandum filed by Plaintiff Advance Magazine Publishers Inc., d/b/a Condé Nast Publications ("Condé Nast"), as well as the Declaration of Robert E. Pick, it is hereby

ORDERED that:

Plaintiff Condé Nast may serve immediate discovery on AT&T and Google to obtain the identities of Defendants John Does 1 - 5 by issuing Rule 45 subpoenas seeking documents and other electronically-stored information that identify Defendants, including document and information reflecting the names, current addresses, permanent addresses, telephone numbers, e-mail addresses, IP addresses, and the Media Access Control ("MAC") addresses of their

computer hardware. The ~~subpoenas may also seek all documents and information relating to the~~
assignment of any IP address which cannot be linked to any individual. *del*

It is **SO ORDERED** this 21 day of December, 2009.



John G. Koeltz, U.S.D.J.